

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW LEE,

Petitioner,

Case No. 1:04-CV-365

v.

Hon. Gordon J. Quist

WILLIE O. SMITH,

Respondent.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 29, 2007. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 29, 2007 (docket no. 15), is **APPROVED AND ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that Petitioner's habeas petition be administratively closed to allow Petitioner to exhaust his claims and file an amended petition.

Dated: August 8, 2007

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE